

## **FISCAL NOTE**

### **SB 2624 - HB 2611**

February 15, 2006

**SUMMARY OF BILL:** Makes the offenses of child abuse, child neglect, and child endangerment ineligible for judicial diversion.

#### **ESTIMATED FISCAL IMPACT:**

##### **Increase State Expenditures – \$208,300\***

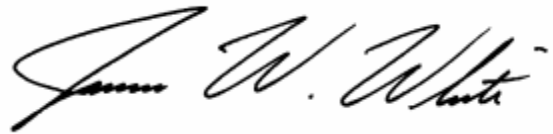
##### Assumptions:

- Child abuse, neglect, and endangerment are currently Class A misdemeanors unless a child is injured and is six years of age or less, which is a Class D felony, or the child's health and welfare are adversely affected and the child is six years of age or less, which is a Class E felony.
- According to the Department of Correction, 34 persons were incarcerated for the offenses of child abuse, neglect, and endangerment in FY 2004-05. The Department assumes that 50 percent of persons charged with the Class E level of these offenses receive judicial diversion under current law.
- According to the U.S. Census Bureau, population growth in Tennessee has averaged 1.09 percent per year for the past 10 years.
- Thirty-four persons will be convicted of Class E level of the offenses of child abuse, child neglect and child endangerment in the first year. Population growth of 1.09 percent per year will result in four additional offenders charged with the Class E level of these offenses in the tenth year as a result of this bill. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based upon 38 offenders serving 0.3 years.
- Thirty-eight offenders will serve 0.3 years (109.58 days). According to the Department of Correction, the average operating cost per inmate per day for calendar year 2006 is \$50.02. The cost per inmate is \$5,481.20 (\$50.02 x 109.58). The total operating cost for 38 offenders is \$208,285.60 (\$5,481.20 x 38).

\* Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director